

## AMENDMENT

### In the Claims:

Please cancel claims 2, 3, 6 and 19 without prejudice or disclaimer, and amend the remaining claims as follows:

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20. (Amended) A method of screening for an oxysterol that activates LXR $\alpha$  mediated transcription, comprising the steps of:

- C!
- (a) providing a host cell comprising a reporter construct and an LXR $\alpha$  expression construct, wherein transcription of said reporter construct is activated when an oxysterol activator of LXR $\alpha$  binds to the LXR $\alpha$  protein;
  - (b) treating the host cell with a candidate oxysterol activator of LXR $\alpha$  mediated transcription; and
  - (c) determining whether said oxysterol activates LXR $\alpha$  mediated transcription of said reporter construct,

wherein activation of reporter construct transcription indicates that said oxysterol is an activator of LXR $\alpha$  mediated transcription.

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## REMARKS

### I. Status of the Claims

Claims 1, 3-8 and 17-23 are pending in the application. All claims are rejected under 35 U.S.C. §112, first and second paragraphs, for alleged lack of enablement and indefiniteness, respectively. All claims are also rejected under 35 U.S.C. §102 for alleged anticipation by Willy